



{In Archive} RE: Response to Senator Pryor
Lehrman, Stephen (Pryor) to: Patricia Haman

01/19/2012 01:33 PM

Archive:

This message is being viewed in an archive.

Ok.

-----Original Message-----

From: Patricia Haman [
mailto:Haman.Patricia@epamail.epa.gov]
Sent: Thursday, January 19, 2012 1:33 PM
To: Patricia Haman; Lehrman, Stephen (Pryor)
Cc: Josh Lewis
Subject: Re: Response to Senator Pryor

We are running a tad late. Couldn't get a cab over
from the Ford
Building. We are almost there. Pat

----- Original Message -----

From: Patricia Haman
Sent: 01/19/2012 11:00 AM EST
To: stephen_lehrman@pryor.senate.gov
Cc: Josh Lewis
Subject: Response to Senator Pryor

Hi Stephen: I look forward to seeing you this
afternoon. We have
completed our response to Senators Pryor and Inhofe
regarding EPA's RINs
program this morning so I thought I would pdf it and
get it to you in
advance of the meeting. Pat

[attachment "pryorrrinsresponse011912.pdf" deleted by
Patricia
Haman/DC/USEPA/US]
[attachment "Rinsenclosure011912.pdf" deleted by
Patricia
Haman/DC/USEPA/US]

Patricia Haman
Office of Congressional and Intergovernmental
Relations
202-564-2806



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JAN 19 2012

OFFICE OF
AIR AND RADIATION

The Honorable Mark Pryor
United States Senate
Washington, D.C. 20510

Dear Senator Pryor:

Thank you for your December 1, 2011 letter to Administrator Lisa P. Jackson, co-signed by Senator James Inhofe, concerning the U.S. Environmental Protection Agency's oversight of Renewable Identification Number (RIN) transactions under the Renewable Fuels Standard (RFS) program. You explained that your questions are in response to recent press accounts of fraudulent RIN generation activity and the potential consequences for obligated parties who rely on RINs to meet RFS requirements. Administrator Jackson asked that I respond on her behalf, and I welcome the opportunity to address the important issues you raise.

Congress established the RFS program in the Energy Policy Act of 2005 to reduce the nation's reliance on imported petroleum by requiring that transportation fuel sold in the United States contain a minimum volume of renewable fuel. Congress expanded the program in the Energy Independence and Security Act of 2007 to require significantly higher volumes of renewable fuel, lay the foundation for achieving significant reductions in greenhouse gas emissions, and encourage the development and expansion of the nation's renewable fuels sector. The EPA developed the regulations for implementing the RFS program in collaboration with refiners, renewable fuel producers, distributors, and obligated parties (gasoline and diesel producers and importers) to work largely in concert with the fuels market and existing business practices. Consistent with the statutes creating the RFS program and the long history of fuel programs from unleaded gasoline to ultra-low sulfur diesel, the EPA placed the obligation to meet the RFS volume mandates on gasoline and diesel producers and importers.

The EPA also included in the RFS regulations the flexibility sought by obligated parties to demonstrate compliance with renewable fuel volume requirements either by acquiring RINs from the renewable fuel they produce or by purchasing RINs from others. The statutory volume requirements could have been implemented in a simple manner by requiring each obligated party to use a specified amount of renewable fuel. However, to provide flexibility, the EPA instead developed regulations allowing obligated parties to use less than their required amount of renewable fuel as long as others use more. RINs were created to implement that flexibility.

From the beginning, the RFS regulations have made clear that it is the responsibility of obligated parties to ensure that they use valid RINs to demonstrate compliance and that there would be no safe harbor provisions with regard to invalid RINs. When Congress amended the RFS in 2007, it did not indicate that the EPA should change this approach. The regulations, as revised to implement EISA, restate that an underlying principle of RIN ownership is "buyers beware." As EPA explained in establishing the

regulations, the Agency could not and would not validate or certify the actual production of renewable fuel and associated RINs.

At the same time, RFS regulatory requirements and compliance efforts are not focused exclusively on obligated parties. As the Agency stated in the RFS2 preamble, and as has been our practice, we look first at the generators of the invalid RINs in taking enforcement action with respect to invalid RINs. EPA's Office of Enforcement and Compliance Assurance (OECA) and Office of Transportation and Air Quality (OTAQ) are currently working together to identify and pursue fraudulent RIN generators. Since use of fraudulent RINs is a violation of the RFS regulations, Notices of Violation (NOVs) have been issued to companies that relied on invalid RINs to demonstrate compliance. We are now working with obligated parties that received NOVs to come into compliance. The fact that the Agency is pursuing fraudulent RIN generators demonstrates our commitment to an effective RFS program and a level playing field for all RIN producers, owners, and users.

In your letter you ask 20 specific questions about RIN transactions and the EPA actions with respect to those transactions. We answer your questions in an enclosure to this letter.

Again, thank you for your letter. If you have further questions, please contact me or your staff may call Patricia Haman in EPA's Office of Congressional and Intergovernmental Relations at (202) 564-2806.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gina McCarthy', with a stylized, cursive script.

Gina McCarthy
Assistant Administrator

Enclosure

RIN Questions and Answers

Following are your questions and our responses:

1. *Who is eligible to register under the program and what does "registered" actually mean?*

Any individual or company who plans to participate in the RFS program must first register with the Agency. There are three principal categories of registrant: 1) a RIN-generating renewable fuel producer/importer, 2) an obligated party, and 3) a RIN owner. Registration for each category has different requirements and results in the assignment of a company identification number and possibly one or more facility identification numbers (in the case of RIN generators and obligated parties). Only a party registered as a renewable fuel producer or importer can generate RINs in the EPA Moderated Transaction System (EMTS).

2. *What is the registration process?*

Registration requirements vary by registrant category. All registrations are processed through the EPA fuels registration system. In the case of renewable fuel producers, they must provide information on the renewable fuel product they produce, the production process employed, the feedstocks they are capable of using, as well as facility production capacity. Producers must also provide documentation including a demonstration that their product has been registered with EPA's fuel and fuel additives registration system, copies of air permits, a feedstock plan, and an independent engineer's review and report that they are capable of producing the renewable fuel product they plan to produce. Some producers (e.g., those claiming an exemption from the 20% minimum lifecycle greenhouse gas reduction requirements, foreign renewable fuel producers) must supply additional information. In the case of obligated parties, they are typically already registered in the EPA fuel registration system because they are subject to registration requirements under other fuel programs. Those obligated parties that are already registered have no additional registration requirements for the RFS program. Those parties that are not already registered must complete the registration process. As for RIN owners that are not also RIN generators or obligated parties, they must submit identifying and other information into the fuel registration system. Detailed requirements are posted on our web page at - <http://www.epa.gov/otaq/fuels/reporting/programsregistration.htm>.

In general, EPA reviews each party's registration submission package to ensure that it is complete and consistent with the registrant's proposed plan for RIN generation. EPA accepts the registration application (allowing generation of RINs in EMTS for renewable fuel producers and importers) if application requirements have been met.

3. *What factors does EPA use to evaluate applicants and ensure their capability to produce renewable fuel and thus legally generate the accompanying RINs?*

EPA generally accepts renewable fuel applications if the information is complete and in order. Since the start of the RFS2 program implementing changes required by the Energy Independence and Security Act of 2007, EPA has required supplemental documentation such as air permits and an independent engineer's review. In most cases EPA accepts the registration if the documentation supports the information provided by the party in the registration system. The independent engineer's report is used to help confirm that a facility exists, that it has the equipment necessary to make a product, that it has the capacity to support reported volume, and that it is capable of processing claimed feedstocks. EPA may also conduct on-site inspections and audits to review whether the information submitted is complete and accurate.

4. *What components of the program are designed to minimize fraud and protect participants?*

Two third-party elements are designed to minimize fraud. First, an independent engineering review and report is required as part of registration. Second, an independent auditor's attestation report is required to be completed annually by a CPA or certified auditor. The attest process requires that a party that is engaged in the RIN system as a RIN generator, obligated party, and/or RIN owner hire an independent auditor to review the party's records and reports according to the schedule provided in the regulations. This audit helps ensure that information reported to EPA is backed by documents such as purchase receipts for feedstocks, bills of lading for delivery, invoices, laboratory test results, etc., as required by the program. EPA may also conduct on-site inspections and audits to review the accuracy and completeness of reported information and underlying documentation.

Additionally, the EPA Moderated Transaction System (EMTS), the electronic RFS reporting and RIN tracking tool, is tied into the registration system to control access and functionality such that only registered renewable fuel producers or importers may generate RINs and only for the specific products for which they are registered. For example a registered ethanol producer would not be able to generate biomass-based diesel RINs without additional registration submissions and EMTS authorization. The EMTS system also allows obligated parties to block RINs that might come from renewable fuel sources that are questionable or that they have not verified, and it also allows market participants to "lock" out RINs that may not be valid to avoid them from being traded or used for compliance.

5. *How does EPA monitor the actions of registered parties?*

EPA monitors registered party actions through EMTS, attest audits, annual compliance reports (for obligated parties) and follow-up EPA inspections, as appropriate. Registered parties report to EMTS their accounting of RIN generation, RIN transactions between parties and RIN use for compliance. Transaction information must be submitted to EMTS within five business days of a transaction being completed. However, EMTS only monitors RIN transactions; all other information regarding the production of renewable fuel product is required to be kept as records that are used for attest audits and subject to inspection or audit by EPA.

6. *What reviews, audits, or checks does EPA perform to ensure the integrity of the program?*

As noted above, the RFS program provides obligated parties with compliance flexibility by allowing volume requirements to be met with RINs that can be traded. An express underpinning of that flexibility is that obligated parties bear responsibility for ensuring the validity of the RINs they use to demonstrate compliance. EPA has the ability to review information submitted to EMTS for consistency, review attest audit reports and conduct on-site inspections and audits.

7. *Does EPA conduct its own internal audits of registered applicants or does it contract out those services? If EPA uses outside contractors, what guidelines does the Agency employ to ensure third party adherence to audit requirements and standards?*

As a general matter, field inspections are conducted by EPA personnel and may also be conducted by contractors. OECA has requirements and standards for conducting inspections.

8. *What actions does EPA take to warn and/or protect potential victims that purchase invalid or fraudulent RINs?*

As EPA stated at the inception of the RFS program, the Agency does not validate or certify RINs and is not capable of doing so based solely on the information reported to EPA. In rulemaking notices and the regulations themselves (RFS2 preamble and CFR§ 80.1431), EPA has made clear that buyers of RINs are responsible for ensuring their validity. Existing business practices and common sense similarly counsel that buyers take steps to ensure that products they purchase meet their specifications or have recourse if the products do not.

When EPA suspects RINs have been fraudulently generated, it commences an investigation, but it may take considerable time to determine whether a violation has occurred. It is thus important that the regulated community protect itself by exercising due diligence.

9. *What is the relationship between the Central Data Exchange (CDX) and EPA Moderated Transaction System (EMTS)?*

CDX is EPA's electronic reporting portal; it provides a secure and standardized environment for regulated parties to submit data under a variety of EPA programs. It allows individual users to access the registration and reporting systems for the fuels programs in OTAQ. EMTS is one of the fuels reporting system that is accessible through CDX.

10. *Must all RIN transactions be cleared through EMTS? If not, why not.*

Since the start of the RFS2 program, all RIN transactions must be reported to EMTS shortly after the transaction is conducted.

11. *Can only registered CDX parties have RIN transactions recognized on EMTS?*

Yes. Since the start of the RFS2 program, only persons registered with CDX who are also associated with a registered EMTS company (RIN generator, obligated party, or RIN owner) can access and use EMTS to conduct RIN transactions.

12. *EMTS was created by rulemaking in 2010. Why did EPA not seek new public comment on the "buyers beware" principle in the proposed 2011 rule?*

The "buyer beware" principle was established in the original RFS program as an essential element of providing obligated parties with the flexibility to meet all or part of their volume requirements through the purchase of RINs. In revising the RFS regulations to reflect the changes required by EISA, EPA kept in place that and other fundamental building blocks of the RFS program. To implement EISA's changes, EPA created the EMTS reporting system to manage the more complex RIN generation qualifications and significantly expanded volume requirements and RIN types that EISA established. The additional complexity of the EISA's requirements only increased the need for RIN buyers to take responsibility for ensuring the validity of RINs. To the extent interested parties wished to revisit this principle in the RFS2 rulemaking implementing EISA's requirements, they were free to do so.

13. *How long has EPA been aware of and investigating allegations of fraud in the RIN marketplace? Were any concerns about the integrity of the RIN market ever communicated to the obligated party community prior to the issuance of the Notice of Violations (NOV) on November 7, 2011?*

EPA has investigated suspected instances of fraud as the Agency has become aware of them. However, it is not appropriate for EPA to inform the regulated community about suspected instances of fraud until the Agency has developed sufficient proof of fraudulent activity.

14. *What percentage of RINs entered into EMTS in 2011 does EPA believe to be fraudulent or otherwise invalid?*

EPA believes that the vast majority of RINs entered into EMTS in 2011 are in fact valid. The RINs involved in the recently announced NOV are about 0.3 percent of the total 2010 RIN market, and were generated before RFS2 requirements and EMTS were established.

15. *Has EPA considered methods to allow obligated parties, or other affected parties, to replace fraudulent/invalid RINs in a manner that would allow the party to remain in compliance without the need to issue an NOV?*

It is not a violation of the RFS regulations to acquire fraudulent or invalid RINs; refiners and other obligated parties may therefore replace those fraudulent or invalid RINs with valid RINs without violating the RFS requirements, as long as they do so before using the fraudulent or invalid RINs to demonstrate its compliance with its annual renewable fuel volume requirements.

Use of a fraudulent or invalid RIN is a violation of the RFS regulations, however, so EPA issued NOV's to those companies that used RINs fraudulently generated by Clean Green Fuels to demonstrate compliance with their 2010 RFS requirement.

The regulatory prohibition on using invalid RINs is distinct from the regulatory requirement that refiners and obligated parties have a sufficient number of valid RINs to satisfy their annual renewable fuel obligation. EPA has made clear that NOV recipients, in revising their 2010 compliance reports to remove the invalid RINs, may show that they meet the 2010 volume requirements by purchasing valid RINs or carrying forward a RIN deficit to be made up in the following compliance period.

It is also worth noting that some refiners and obligated parties have asked that EPA issue formal notices of violation to enable them to exercise their commercial contract indemnification provisions against invalid RIN sellers, which in turn protect them as buyers.

16. *Is EPA's enforcement policy (with regard to obligated parties that acquired invalid RINs in good faith) consistent with EPA's enforcement policies for other credit programs? Please provide examples of where EPA has initiated enforcement actions against parties that acquired and used credits that were later found to be invalid through no fault of the company using the credits for compliance.*

The RFS program, like other EPA fuel programs, provides that invalid credits cannot be used to achieve compliance, regardless of the buyer's good faith belief that the credits were valid. See, for example, the provisions at 40 C.F.R. §§ 80.67(h), 80.275(d), 80.315(b), 80.532(d) and 80.536(d). In recent years, EPA has not found violations that led to enforcement actions against parties that acquired and used credits that were later found to be invalid. During the gasoline lead phase down, the Agency did take a number of enforcement actions arising from the generation and use of invalid lead credits.

17. *What are the obligations and/or liabilities of parties in the transaction chain other than obligated parties that may have purchased and re-sold RINs that were determined to be invalid?*

It is a violation for any party to sell an invalid RIN, and any party that transfers an invalid RIN will be liable for a violation. Any party that purchases and re-sells RINs must register with EPA and comply with a number of reporting and recordkeeping requirements. Commercial contracts for RIN transactions between buyers and sellers constitute obligations or liabilities outside of the Agency's purview.

18. *Describe the specific due diligence that an obligated party could take to ensure with 100% confidence that RINs are valid. Would such due diligence be an affirmative defense against an NOV for retiring RINs that are subsequently found to be invalid? If the recommended due diligence requires physically inspecting all plants that an obligated party would accept RINs from, would this be practicable for foreign producers of renewable fuel?*

Each RIN transaction has the potential to be unique depending on circumstances of the transaction, so it is not practicable to describe the specific due diligence that an obligated party could take in every instance to ensure RINs are valid. We have learned from some RIN market participants that careful questioning and/or site inspections have revealed information indicating potential problems with the RINs they were considering purchasing. We are currently working with stakeholders to develop examples of questions and other practices that may be helpful in determining the validity of RINs. Due diligence is not an affirmative defense, but EPA may consider the level of due diligence in determining an appropriate penalty for any particular violation.

19. *Can Financial Services Firms participate in RIN markets? If so what is their role?*

Financial Services Firms may register and participate as RIN owners and are subject to all requirements of the program as such.

20. *What is EPA's plan to ensure the future reliability of RIN markets?*

EPA investigation of possible RIN fraud and enforcement against fraudulent RIN generators will help ensure the future reliability of RIN markets. Enforcement of the prohibition against use of invalid RINs also provides potential RIN buyers with increased incentive to take steps to determine the validity of RINs, which will also increase the reliability of RIN markets. In addition, EPA is working with stakeholders to provide more information and suggestions that can help potential buyers spot RIN fraud. We understand that market participants are also making efforts to develop systems that could potentially provide greater assurance to buyers that they are purchasing valid RINs.

Haman, Patricia

From: Haman, Patricia
Sent: Thursday, May 01, 2014 10:34 AM
Subject: DERA grants opportunity

Good Morning: Today EPA is announcing \$9 million in DERA (diesel emission reductions) grant opportunities. Because many of you have asked about DERA grants on behalf of constituents in the past, I thought I would send you the link in case you would like to forward it. All applications are due by 4 pm June 17, 2014.

Specifically, we are soliciting proposals nationwide for projects that achieve significant reductions in diesel emissions produced by diesel engines and diesel emissions exposure, particularly from fleets operating in areas designated by the Administrator as poor air quality areas.

Eligible diesel emission reduction solutions include verified emission control technologies such as exhaust controls, cleaner fuels, and engine upgrades, verified idle reduction technologies, verified aerodynamic technologies and low rolling resistance tires, certified engine repowers, and/or certified vehicle or equipment replacement.

Eligible entities include regional, state, local or tribal agencies (or intertribal consortia) or port authorities with jurisdiction over transportation or air quality, and nonprofit organizations or institutions that: a) represent or provide pollution reduction or educational services to persons or organizations that own or operate diesel fleets or b) have, as their principal purpose, the promotion of transportation or air quality.

Additionally, please note that this year the National Clean Diesel Campaign will issue a stand-alone Tribal Request for Proposals (RFP) for a total of up to \$1 million. The 2014 DERA Tribal Competition RFP is tentatively scheduled to open around May 12, 2014.

Here is the link for more information:

<http://www.epa.gov/cleandiesel/prgnational.htm>

Pat
Patricia Haman
Office of Congressional Affairs
U.S. EPA
202-564-2806

Patricia Haman
Office of Congressional Affairs
U.S. EPA
202-564-2806

Haman, Patricia

From: Stroud, Kelvin (Pryor) <Kelvin_Stroud@pryor.senate.gov>
Sent: Tuesday, April 01, 2014 5:10 PM
To: Haman, Patricia
Subject: RE: Cottonseed - EPA RFS petition

thanks

From: Haman, Patricia [mailto:Haman.Patricia@epa.gov]
Sent: Tuesday, April 01, 2014 8:58 AM
To: Stroud, Kelvin (Pryor)
Cc: Lewis, Josh
Subject: Re: Cottonseed - EPA RFS petition

Hi Kelvin: I am sorry it has taken so long to get this response to you. If you haven't already looked at the memo referenced below, you might want to - it is only two pages. Pat
We are continuing to evaluate the petition submitted by the National Cottonseed Products Association (NCPA) requesting new fuel pathways under the RFS program for biofuel made from cottonseed oil. Evaluating this petition requires a significant amount of agricultural sector modeling which we continue to work on as expeditiously as possible considering resource limitations and the number of other petitions currently under review. When the modeling is complete we intend to move forward with a public notice and comment process. EPA recently made a program announcement that we are initiating activities to improve our petition process to enable more timely and efficient decision-making (<http://www.epa.gov/otaq/fuels/renewablefuels/documents/420f14011.pdf>). We expect this improvement process to take approximately six-months. During this time we intend to continue making progress on the modeling for NCPA's petition. We have been in contact with the NCPA and have scheduled a meeting with them for Tuesday, April 1st to provide an update on the status of our evaluation.

From: Stroud, Kelvin (Pryor) <Kelvin_Stroud@pryor.senate.gov>
Sent: Monday, March 31, 2014 5:38:03 PM
To: Haman, Patricia
Subject: RE: Cottonseed - EPA RFS petition

Hi, any update? Senator Pryor is meeting with this group tomorrow.

From: Stroud, Kelvin (Pryor)
Sent: Thursday, March 27, 2014 4:09 PM
To: 'Haman, Patricia'
Subject: RE: Cottonseed - EPA RFS petition

Just wanted to follow up on this. Senator Pryor is meeting with the cotton seed folks next week so we would like an update before then. Thank you.

From: Haman, Patricia [mailto:Haman.Patricia@epa.gov]
Sent: Thursday, March 06, 2014 6:31 PM
To: Stroud, Kelvin (Pryor)
Subject: Re: Cottonseed - EPA RFS petition

Hi Kelvin: I am checking in with the staff. We have not talked about this one for a few months so I need to get an update. Pat

From: Stroud, Kelvin (Pryor) <Kelvin_Stroud@pryor.senate.gov>

Sent: Thursday, March 06, 2014 3:59:37 PM

To: Haman, Patricia

Subject: RE: Cottonseed - EPA RFS petition

Patricia,

I wanted to again check in on the petition submitted by the National Cottonseed Products Association seeking approval of cottonseed oil as an eligible feedstock for the Renewable Fuel Standard Program. They have been waiting two years on this so is there any updates?

Thanks,

Kelvin

From: Haman, Patricia [<mailto:Haman.Patricia@epa.gov>]

Sent: Thursday, May 30, 2013 6:29 PM

To: Stroud, Kelvin (Pryor)

Subject: Re: Cottonseed - EPA RFS petition

Sure. I will be in after 10 tomorrow. Pat

From: Stroud, Kelvin (Pryor)

Sent: Thursday, May 30, 2013 6:06:09 PM

To: Haman, Patricia

Subject: RE: Cottonseed - EPA RFS petition

Pat,

I just got back in town, sorry for all the delay. Can you chat tomorrow?

-Kelvin

From: Haman, Patricia [<mailto:Haman.Patricia@epa.gov>]

Sent: Tuesday, May 14, 2013 6:06 PM

To: Stroud, Kelvin (Pryor)

Subject: Re: Cottonseed - EPA RFS petition

Yes, of course! I have left the office today but will be back in late morning and will check on this one then and then give you a call tomorrow afternoon or Thursday. If you don't hear from me by 3 pm on Thursday, please call me at 202-564-2806 to bug me because I am out of the office Friday and Monday. Thanks, Pat

From: Stroud, Kelvin (Pryor)

Sent: Tuesday, May 14, 2013 5:59:55 PM

To: Haman, Patricia

Subject: Cottonseed - EPA RFS petition

Patricia,

I wanted to check in on the petition submitted by the National Cottonseed Products Association seeking approval of cottonseed oil as an eligible feedstock for the Renewable Fuel Standard Program. Do you have any time this week to chat on this petition?

Thanks,

Kelvin

A handwritten signature in black ink, appearing to be 'K. Le' or similar, written in a cursive style.

Haman, Patricia

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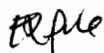
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Thanks,

Kelvin



Haman, Patricia

From: Haman, Patricia
Sent: Tuesday, October 29, 2013 3:19 PM
To: stephen_lehrman@pryor.senate.gov
Subject: Response to RFS letter
Attachments: RFS Response (2).pdf

Stephen: Here is our response to Senator Pryor's August RFS letter. Pat



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OCT 29 2013

OFFICE OF
AIR AND RADIATION

The Honorable Mark Pryor
United States Senate
Washington, D.C. 20510

Dear Senator Pryor:

Thank you for your letter to President Barack Obama dated August 1, 2013, co-signed by two of your colleagues, in which you express concerns about the potential for increased fuel prices and engine damage as a result of the Renewable Fuel Standard (RFS) program. Your letter requests that the U.S. Environmental Protection Agency address these concerns using its authority to waive the 2014 RFS volume requirements. The EPA Administrator Gina McCarthy recognizes the importance of the issue to you and your constituents. She has asked that I respond on the agency's behalf.

Compliance with the RFS program is demonstrated through the use of Renewable Identification Numbers (RINs) – tradable credits that represent production of qualifying renewable fuel. In the final rule establishing the required RFS volumes for 2013, the EPA determined that there will be sufficient RINs available in the market to comply with the statutory volume requirements for advanced biofuel and total renewable fuel in 2013.

However, a number of obligated parties and other stakeholders have communicated their concerns to the EPA about constraints on the ability to consume ethanol in excess of the level at which the fuel supply is all or nearly all E10 – commonly referred to as the ethanol “blendwall” – and they indicated that compliance with the 2014 statutory volume requirements is expected to be difficult. As the EPA stated in the final rule for 2013, we plan to address this issue by proposing adjustments to the 2014 volume requirements, including to both the advanced biofuel and total renewable fuel categories. The EPA is in the process of completing the 2014 proposal now and we understand the importance of proposing this rule quickly.

In the 2013 RFS final action, the EPA also provided additional lead time to obligated parties by extending the date by which compliance with the 2013 standards must be demonstrated to June 30, 2014. The EPA chose this date because we anticipate issuing a final rule setting the RFS volume requirements for 2014 before that date. This should allow obligated parties to take their 2014 obligations into consideration as they determine how to utilize RINs for 2013 compliance. We believe that this addresses concerns that have been expressed about the short-term uncertainty in the market for RINs.

Together with the U.S. Department of Agriculture (USDA) and the U.S. Department of Energy (DOE), we have been monitoring RIN price activity closely. We recognize the importance of this issue and we will continue to engage with our partners at the USDA and the DOE to assess current RIN price activity and any related impacts.

Again, thank you for your letter. If you have further questions, please contact me or your staff may call Pat Haman in the EPA's Office of Congressional and Intergovernmental Relations at (202) 564-2806.

Sincerely,

A handwritten signature in dark ink, appearing to read "Janet G. McCabe", with a stylized flourish at the end.

Janet G. McCabe
Acting Assistant Administrator

Haman, Patricia

From: Stroud, Kelvin (Pryor) <Kelvin_Stroud@pryor.senate.gov>
Sent: Friday, July 26, 2013 2:26 PM
To: Haman, Patricia
Subject: Re: EPA consent decree

Thanks!

From: Haman, Patricia [mailto:Haman.Patricia@epa.gov]
Sent: Thursday, July 25, 2013 09:55 PM Eastern Standard Time
To: Stroud, Kelvin (Pryor)
Cc: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Subject: Re: EPA consent decree

Hi Kelvin: It is nice to hear from you. I don't work on wetlands issues so I am cc'g my colleague, Sven, who is the team leader for the team that covers wetlands issues.

From: Stroud, Kelvin (Pryor) <Kelvin_Stroud@pryor.senate.gov>
Sent: Thursday, July 25, 2013 5:56:14 PM
To: Haman, Patricia
Subject: EPA consent decree

Patricia,

We have a constituent that has a wetland restriction on his land. I wanted to talk to you about if there was a possibility (ever) to reevaluate the consent decree by EPA. Do you have time to chat on this?

Thanks,

Kelvin



**Fw: U.S. EPA News Release: EPA Proposes Changes to Enhance
Confidence in RIN Trading in the RFS Program**

Patricia Haman to: Lehrman, Stephen (Pryor)

01/31/2013 04:38 PM

Hi Stephen: I should have sent this to you earlier today. Please let me know if you have any questions.
Pat

Patricia Haman
Office of Congressional and Intergovernmental Relations
202-564-2806

----- Forwarded by Patricia Haman/DC/USEPA/US on 01/31/2013 04:37 PM -----

From: "U.S. EPA" <usaepa@govdelivery.com>
To: Patricia Haman/DC/USEPA/US@EPA
Date: 01/31/2013 03:19 PM
Subject: U.S. EPA News Release: EPA Proposes Changes to Enhance Confidence in RIN Trading in the
RFS Program

CONTACT:

Stacy Kika (**NEWS MEDIA ONLY**)

kika.stacy@epa.gov

202-564-0906

202-564-4355

FOR IMMEDIATE RELEASE

January 31, 2013

EPA Proposes Changes to Enhance Confidence in RIN Trading in the RFS Program

WASHINGTON -To help make the Renewable Fuel Standard (RFS) program more efficient and effective the U.S. Environmental Protection Agency (EPA) is proposing a structured process for buyers of Renewable Identification Numbers (RINs) in order to verify their validity.

Under the proposal, RINs would be verified through a new voluntary quality assurance program that also includes alternative compliance options which leverage existing industry practices and market forces. This proposal will be available for a 30-day public comment period. EPA will consider feedback from a range of stakeholders before the proposal is finalized.

Quality Assurance Plans (QAPs) would provide a recognized means for independent third parties to audit the production of renewable fuel and verify that RINs have been validly generated.

For RINs that have been verified according to an approved QAP, the program would provide protection against liability for civil violations resulting from the transfer or use of invalidly generated RINs under certain conditions. The rule would also specify both the conditions under which invalid RINs must be replaced with valid RINs, and by whom. The proposed rule allows

verification of RINs to begin this year.

The RFS program, which was established under the Energy Policy Act of 2005 and later modified through the Energy Independence and Security Act of 2007, requires that specified volumes of renewable fuel be used as transportation fuel, home heating oil, and/or jet fuel each year.

Renewable fuel producers and importers generate RINs based on the volume of compliant renewable fuel that they make available. RINs can then be traded and used by petroleum refiners and importers ("obligated parties") to show compliance with their volume obligations.

Following a number of high profile RIN fraud cases, EPA expects its rulemaking to improve the overall liquidity in the RIN market and in particular make it easier for smaller renewable fuel producers to sell their RINs. EPA worked closely with stakeholders in developing the proposal.

More information on the proposed rule and the RFS program:
<http://epa.gov/otaq/fuels/renewablefuels/regulations.htm>

R018

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Quality Assurance Plans and RINs

Patricia Haman to: Lehrman, Stephen (Pryor)

11/01/2012 02:39 PM

Good Afternoon: I want to keep you in the loop on our efforts to address potential RINs fraud. We are still planning to release a notice of proposed rulemaking by the end of the year.

The proposal the Agency is developing includes a quality assurance program that could be used to verify that RINs have been validly generated. The proposal would provide a recognized means for independent third parties to audit the production of renewable fuel and the generation of RINs. The basis for these audits would be quality assurance plans (QAPs) which would be developed and implemented by independent third parties, based on the requirements specified for a QAP in the regulations.

In response to the interest of regulated parties in being able to verify the validity of RINs at the beginning of 2013, we are providing an early draft of the types of QAP requirements that have been under consideration as we develop the Notice of Proposed Rulemaking (NPRM).

Below is a link to our website. If you scroll part way down, you will see the link to the draft QAP.

<http://www.epa.gov/otaq/fuels/renewablefuels/qap.htm>

Please call if you have any questions. Pat

Patricia Haman
Office of Congressional and Intergovernmental Relations
202-564-2806



EPA enforcement policy regarding invalid RINs

Patricia Haman to: Lehrman, Stephen (Pryor)

03/26/2012 12:01 PM

Cc: Carolyn Levine, Josh Lewis

Hi Stephen: I am catching up on things today and wanted to send you a copy of this invalid RINs enforcement policy which EPA put out last week. I don't think anything in it will surprise you but thought, based on our previous discussion, you would be glad to know EPA did put something out.

My colleague, Carolyn Levine, heads up our Waste and Enforcement team; if you have any questions about the policy, Carolyn can help. Carolyn's number is 202-564-1859.

Of course, if you have any questions about the program itself, please let me know. Pat

<http://www.epa.gov/compliance/resources/policies/civil/erp/erp-invalidrins.pdf>

Patricia Haman
Office of Congressional and Intergovernmental Relations
202-564-2806



{In Archive} Pine Bluff, Arkansas STAG funding

Henry Cowles, Lauren (Pryor)

to:

Patricia Haman

10/27/2011 12:35 PM

Cc:

"Stewart, Lee"

Hide Details

From: "Henry Cowles, Lauren (Pryor)" <Lauren_Cowles@pryor.senate.gov>

To: Patricia Haman/DC/USEPA/US@EPA

Cc: "Stewart, Lee" <Lee.Stewart@mail.house.gov>

History: This message has been replied to.

Archive: This message is being viewed in an archive.

Hi Patricia –

Senator Pryor and Congressman Ross have been contacted by the City of Pine Bluff, Arkansas, regarding an FY08 STAG grant for water and sewer infrastructure. I've cc'd Lee Stewart in Congressman Ross' office on this email.

It is our understanding that the EPA intends to rescind funding for this grant (\$477K) because the money has not yet been obligated. When the grant was awarded, the city believed that they had five years to obligate the funds. We understand that the EPA was tasked in the FY11 CR with finding \$140 million in rescissions. However, Senator Pryor and Congressman Ross believe that this particular rescission is unfair as it changes the rules in the middle of the process.

Our bosses have asked us to coordinate a meeting between the City of Pine Bluff, the EPA and appropriate Congressional staff. The City of Pine Bluff will be in town on Wednesday, November 2nd. Our office is happy to host the meeting in SD 255. Is there a time that afternoon when the appropriate EPA staff could discuss this issue with the delegation and the City of Pine Bluff?

Thank you,
Lauren

Exp. 6

Lauren Henry Cowles
Appropriations Legislative Assistant
Senator Mark Pryor
255 Dirksen Senate Office Building
Washington, DC 20510



www.pryor.senate.gov



burning treated wood

Patricia Haman to: hank_kilgore

Cc: Josh Lewis

10/17/2012 03:50 PM

Hi Hank: Both of my colleagues were at their desks so I have the answer for you.

Although it is a bad idea due to the presence of arsenic, treated wood is not banned by the federal government, and there are no FIFRA or TSCA rules against burning it.

However, in general, states and municipalities have lead roles in regulating wood-burning activities. So perhaps he was referring to a state environmental regulation.

If your constituent would like to avoid burning it and he has trash pick-up, he he can throw out the wood on trash day. It's approved to go to the landfill.

Here are links to a recent CPSC brochure and to EPA's webpage which will provide him with more information.

CPSC brochure: <http://www.cpsc.gov/cpscpub/pubs/270.pdf>

EPA Webpage: http://www.epa.gov/oppad001/reregistration/cca/cca_qa.htm

Please let me know if you have any additional questions. Pat

Patricia Haman
Office of Congressional and Intergovernmental Relations
202-564-2806



{In Archive} RE: FTC annual report on ethanol market concentration

Patricia Haman to: Lehrman, Stephen (Pryor)

01/30/2012 04:18 PM

Cc: Josh Lewis, "Holland, Sarah (Pryor)"

Archive:

This message is being viewed in an archive.

Great - I just heard confirmation from the staff that this is fine with EPA. Pat

Patricia Haman

Office of Congressional and Intergovernmental Relations

202-564-2806

"Lehrman, Stephen (Pryor)"

Hi Pat - thanks for the quick response. ...

01/30/2012 04:05:30 PM

From: "Lehrman, Stephen (Pryor)" <Stephen_Lehrman@pryor.senate.gov>

To: Patricia Haman/DC/USEPA/US@EPA

Cc: "Holland, Sarah (Pryor)" <Sarah_Holland@pryor.senate.gov>, Josh Lewis/DC/USEPA/US@EPA

Date: 01/30/2012 04:05 PM

Subject: RE: FTC annual report on ethanol market concentration

Hi Pat - thanks for the quick response. Very helpful. Stephen

Edp

-----Original Message-----

From: Haman.Patricia@epamail.epa.gov [mailto:Haman.Patricia@epamail.epa.gov]

Sent: Monday, January 30, 2012 12:45 PM

To: Lehrman, Stephen (Pryor)

Cc: Holland, Sarah (Pryor); Lewis.Josh@epamail.epa.gov

Subject: RE: FTC annual report on ethanol market concentration

Hi Steve: We have not heard back from all 4 of the staffers we queried but so far it looks like we would be fine if they want to stop producing this report. If I hear anything different by the end of the day, I will be back in touch. If you don't hear from me, then go ahead and assume that we are ok with the FTC taking this step.

Thank you very much for asking us though. We appreciate it. Pat

Patricia Haman

Office of Congressional and Intergovernmental Relations

202-564-2806

From: "Lehrman, Stephen (Pryor)"

<Stephen_Lehrman@pryor.senate.gov>

To: Patricia Haman/DC/USEPA/US@EPA

Cc: "Holland, Sarah (Pryor)" <Sarah_Holland@pryor.senate.gov>

Date: 01/30/2012 12:27 PM

Subject: RE: FTC annual report on ethanol market concentration

Hello Pat - We would like to get back to the FTC in the next couple of days with a response. We would appreciate input from EPA on the usefulness of this study before we give FTC a yea or nay. Thanks.

Stephen Lehrman

Office of Senator Mark Pryor

Legislative Assistant

Ex 6

Connect with Senator Pryor:

<http://www.pryor.senate.gov>

Description: Description: Description: Description: Newsletter_24x24

Description: Description: Description: Description: FaceBook_24x24

Description: Description: Description: Description: Twitter_24x24

Description: Description: Description: Description: Youtube_24x24

From: Patricia Haman [mailto:Haman.Patricia@epamail.epa.gov]

Sent: Friday, January 27, 2012 10:18 AM

To: Lehrman, Stephen (Pryor)

Subject: Re: FTC annual report on ethanol market concentration

Thanks for asking. I will talk to the staff. Pat

From: "Lehrman, Stephen (Pryor)" [Stephen_Lehrman@pryor.senate.gov]

Sent: 01/27/2012 03:14 PM GMT

To: Patricia Haman

Cc: "Holland, Sarah (Pryor)" <Sarah_Holland@pryor.senate.gov>

Subject: FTC annual report on ethanol market concentration

Hi Pat - the FTC is asking if Senator Pryor cares whether the FTC stops producing the Report of Ethanol Concentrations required by the Energy Policy Act of 2005. The latest report is

<http://www.ftc.gov/os/2011/12/111213ethanolreport.pdf>.

Under the GPRA Modernization Act (P.L. 111-352), the FTC has identified this statutorily mandated annual report as "outdated." Is this annual report still of value to the EPA? Would EPA care if the report was eliminated? Thanks for the feedback.

Stephen Lehrman

Office of Senator Mark Pryor

Legislative Assistant

cc

Ex 6



{In Archive} Update on the RINs NOVs

Patricia Haman to:

01/27/2012 04:18 PM

Cc: Laura Vaught, Josh Lewis, frantz.diann, Carolyn Levine
Tara_Billingsley, Grant_Cope, Laura_Haynes, Jason_Albritton,
Bcc: "Lehrman, Stephen (Pryor)", andrew_wallace, "Hackett, Jonathan
(EPW)", Sarah_Neimeyer, Trevor_Reuschel, Brian_Hughes,

Archive: This message is being viewed in an archive.

Good Afternoon: Because you have expressed interest in this issue over the past few months, I wanted to let you know that this afternoon settlement offers were sent to the 24 companies that received notices of violation (NOV) letters on November 7, 2011, because they retired invalid Renewable Identification Numbers (RINs), to comply with their Renewable Volume Obligations under the Renewable Fuels Standard (RFS) program. The RINs were generated by Clean Green Fuels, LLC, whose owner, Rodney R. Hailey, was charged on October 3, 2011, with wire fraud, money laundering, and a violation of the CAA.

Here is a link which provides more information on the case in general:

<http://www.epa.gov/compliance/civil/caa/fuel-novs.html>

EPA will not share settlement terms nor the content of these letters with anyone other than the intended recipient, but we anticipate that some of you may receive a copy or a call from a constituent after the letters are received.

Please call if you have any questions about today's actions in general.

Pat

Patricia Haman
Office of Congressional and Intergovernmental Relations
202-564-2806



{In Archive} RE: FTC annual report on ethanol market concentration

Lehrman, Stephen (Pryor)

to:

Patricia Haman

01/30/2012 12:27 PM

Cc:

"Holland, Sarah (Pryor)"

Hide Details

From: "Lehrman, Stephen (Pryor)" <Stephen_Lehrman@pryor.senate.gov>

To: Patricia Haman/DC/USEPA/US@EPA

Cc: "Holland, Sarah (Pryor)" <Sarah_Holland@pryor.senate.gov>

History: This message has been replied to.

Archive: This message is being viewed in an archive.

4 Attachments



image001.png



image002.png



image003.png



image004.png

Hello Pat – We would like to get back to the FTC in the next couple of days with a response. We would appreciate input from EPA on the usefulness of this study before we give FTC a yea or nay. Thanks.

Stephen Lehrman
Office of Senator Mark Pryor
Legislative Assistant

EXP Ce

Connect with Senator Pryor:
<http://www.pryor.senate.gov>



From: Patricia Haman [<mailto:Haman.Patricia@epamail.epa.gov>]

Sent: Friday, January 27, 2012 10:18 AM

To: Lehrman, Stephen (Pryor)

Subject: Re: FTC annual report on ethanol market concentration

Thanks for asking. I will talk to the staff. Pat

From: "Lehrman, Stephen (Pryor)" [Stephen_Lehrman@pryor.senate.gov]
Sent: 01/27/2012 03:14 PM GMT
To: Patricia Haman
Cc: "Holland, Sarah (Pryor)" <Sarah_Holland@pryor.senate.gov>
Subject: FTC annual report on ethanol market concentration

Hi Pat – the FTC is asking if Senator Pryor cares whether the FTC stops producing the Report of Ethanol Concentrations required by the Energy Policy Act of 2005. The latest report is <http://www.ftc.gov/os/2011/12/111213ethanolreport.pdf>.

Under the GPRA Modernization Act (P.L. 111-352), the FTC has identified this statutorily mandated annual report as “outdated.” Is this annual report still of value to the EPA? Would EPA care if the report was eliminated? Thanks for the feedback.

Stephen Lehrman
Office of Senator Mark Pryor
Legislative Assistant

SLP



{In Archive} RE: Gasoline Sulfur Standards

Patricia Haman to: Lehrman, Stephen (Pryor)

01/13/2012 01:02 PM

Archive

This message is being viewed in an archive.

Great. I will let you know when I confirm the last person. It is not like him to not reply to me so I am wondering if he is out sick. Hopefully I will hear back on Tuesday. Pat

Patricia Haman
Office of Congressional and Intergovernmental Relations
202-564-2806



Archive

{In Archive} RE: Gasoline Sulfur Standards

Lehrman, Stephen (Pryor) to: Patricia Haman

This message is being viewed in an archive.

01/18/2012 09:39 AM

Hi Pat - thanks. Please come to Sd-255.

Stephen Lehrman
Office of Senator Mark Pryor
Legislative Assistant
202-228-3063
stephen_lehrman@pryor.senate.gov

-----Original Message-----

From: Patricia Haman [
mailto:Haman.Patricia@epamail.epa.gov]
Sent: Wednesday, January 18, 2012 9:39 AM
To: Lehrman, Stephen (Pryor)
Subject: RE: Gasoline Sulfur Standards

Good Morning Stephen: We are all set for tomorrow at 1:30. There should be about 3 of us in person. We will need to tie the program manager in by phone. He will be in Ann Arbor. Thanks, Pat

Patricia Haman
Office of Congressional and Intergovernmental Relations
202-564-2806

From: "Lehrman, Stephen (Pryor)"
<Stephen_Lehrman@pryor.senate.gov>
To: Patricia Haman/DC/USEPA/US@EPA
Date: 01/13/2012 12:45 PM
Subject: RE: Gasoline Sulfur Standards

Thursday at 1:30 pm in SD-255 works. Thanks.

Stephen Lehrman
Office of Senator Mark Pryor
Legislative Assistant
202-228-3063
stephen_lehrman@pryor.senate.gov

-----Original Message-----

From: Patricia Haman [
mailto:Haman.Patricia@epamail.epa.gov]
Sent: Friday, January 13, 2012 12:16 PM
To: Lehrman, Stephen (Pryor)
Subject: RE: Gasoline Sulfur Standards

Hi Stephen: I am missing a response from one key person but so far it

looks like next Thursday, 1/19, at 1:30 could work for us. If I can nail down this last guy, would that work for you? Thanks, Pat

Patricia Haman
Office of Congressional and Intergovernmental
Relations
202-564-2806

From: "Lehrman, Stephen (Pryor)"
<Stephen_Lehrman@pryor.senate.gov>
To: Patricia
Haman/DC/USEPA/US@EPA
Date: 01/11/2012 02:37 PM
Subject: RE: Gasoline Sulfur
Standards

Hi Pat - thanks for the email. I would like to meet with you before the end of recess to discuss RINs enforcement. Let me know if you have time next week to get together.

I will get back to you if I have more questions with respect to the gasoline sulfur standards. Thanks.

Stephen Lehrman
Office of Senator Mark Pryor
Legislative Assistant
202-228-3063
stephen_lehrman@pryor.senate.gov

-----Original Message-----

From: Patricia Haman [
mailto:Haman.Patricia@epamail.epa.gov]
Sent: Wednesday, January 11, 2012 10:17 AM
To: Josh Lewis
Cc: Arvin Ganesan; Lehrman, Stephen (Pryor)
Subject: Re: Gasoline Sulfur Standards

Hi Stephen: I am glad you contacted us because I have been meaning to follow up with you about our conversation before the holidays about the RINs enforcement action. Would you like to sit down and walk through how the RINs work, etc.? We can't talk about the specifics of any ongoing enforcement action but we can talk about the issues in general and how we have addressed them since inception of the program. If so, please give me some blocks of time and I will get something set up.

With respect to lowering the sulfur content, what your constituent is referring to is the Tier 3 rules. EPA promulgated the Tier 2 sulfur standards in January of 2000 to enable the Tier 2 vehicle standards. We are hoping to propose new Tier 3 rules this winter. So it is premature for us to talk about the specifics of the proposal which are still being worked out. However, if you think it would be helpful, I can send you a few letters we have received from outside organizations which frame the issue fairly well. Just let me know if you want me to pull that together for you.

Pat
Patricia Haman
Office of Congressional and Intergovernmental
Relations
202-564-2806



{In Archive} RE: Pine Bluff, Arkansas STAG funding

Henry Cowles, Lauren (Pryor) to: Henry Cowles, Lauren (Pryor),
Christina Moody, Sven-Erik
Kaiser, Patricia Haman

10/31/2011 02:46 PM

Cc: "Stewart, Lee", Josh Lewis

Archive.

This message is being viewed in an archive.

I am following up again on the below request.
Senator Pryor and Congressman Ross request a meeting
for the afternoon of November 2nd between the City of
Pine Bluff and the appropriate EPA staff to discuss
an FY08 STAG grant.

I would like to schedule a meeting today, as the
requested date is this Wednesday.

Lauren Henry Cowles
Appropriations Legislative Assistant
Senator Mark Pryor
255 Dirksen Senate Office Building
Washington, DC 20510

Exp. U

www.pryor.senate.gov

-----Original Message-----

From: Henry Cowles, Lauren (Pryor)
Sent: Friday, October 28, 2011 4:40 PM
To: Moody.Christina@epamail.epa.gov;
Kaiser.Sven-Erik@epamail.epa.gov
Cc: 'Stewart, Lee'; 'Lewis.Josh@epamail.epa.gov'
Subject: RE: Pine Bluff, Arkansas STAG funding

Following up on the below request for a meeting with
the City of Pine Bluff, Arkansas to discuss the
potential rescission of an FY08 STAG grant.

Are there times in the afternoon on Wednesday,
November 2nd that work to have a meeting?

Thank you,
Lauren

Lauren Henry Cowles
Appropriations Legislative Assistant
Senator Mark Pryor
255 Dirksen Senate Office Building
Washington, DC 20510

Exp. U

www.pryor.senate.gov

-----Original Message-----

From: Henry Cowles, Lauren (Pryor)

Date: 10/27/2011 12:35 PM
Subject: Pine Bluff, Arkansas STAG funding

Hi Patricia -

Senator Pryor and Congressman Ross have been contacted by the City of Pine Bluff, Arkansas, regarding an FY08 STAG grant for water and sewer infrastructure. I've cc'd Lee Stewart in Congressman Ross' office on this email.

It is our understanding that the EPA intends to rescind funding for this grant (\$477K) because the money has not yet been obligated. When the grant was awarded, the city believed that they had five years to obligate the funds. We understand that the EPA was tasked in the FY11 CR with finding \$140 million in rescissions. However, Senator Pryor and Congressman Ross believe that this particular rescission is unfair as it changes the rules in the middle of the process.

Our bosses have asked us to coordinate a meeting between the City of Pine Bluff, the EPA and appropriate Congressional staff. The City of Pine Bluff will be in town on Wednesday, November 2nd. Our office is happy to host the meeting in SD 255. Is there a time that afternoon when the appropriate EPA staff could discuss this issue with the delegation and the City of Pine Bluff?

Thank you,
Lauren

ERP

Lauren Henry Cowles
Appropriations Legislative Assistant
Senator Mark Pryor
255 Dirksen Senate Office Building
Washington, DC 20510

www.pryor.senate.gov

Sent: Thursday, October 27, 2011 1:27 PM
To: 'Haman.Patricia@epamail.epa.gov'
Cc: 'Stewart, Lee'; Moody.Christina@epamail.epa.gov;
Kaiser.Sven-Erik@epamail.epa.gov;
Lewis.Josh@epamail.epa.gov
Subject: RE: Pine Bluff, Arkansas STAG funding

Ok, great. Thank you, Pat.

Christina and Sven-Erik, we look forward to hearing from you. Please let us know if you need additional information from us.

Lauren Henry Cowles
Appropriations Legislative Assistant
Senator Mark Pryor
255 Dirksen Senate Office Building
Washington, DC 20510

EX-16

www.pryor.senate.gov

-----Original Message-----

From: Haman.Patricia@epamail.epa.gov [
mailto:Haman.Patricia@epamail.epa.gov]
Sent: Thursday, October 27, 2011 12:47 PM
To: Henry Cowles, Lauren (Pryor)
Cc: 'Stewart, Lee'; Moody.Christina@epamail.epa.gov;
Kaiser.Sven-Erik@epamail.epa.gov;
Lewis.Josh@epamail.epa.gov
Subject: Re: Pine Bluff, Arkansas STAG funding

Hi Lauren: I generally work on air and climate issues so I am forwarding your email to Christina Moody, who heads up the Appropriations Team here in EPA's Congressional office and Sven-Erik Kaiser, who heads up our Water Team. I am sure they will make every effort to track this down and work with you and Congressman Ross's staff.

Pat

Patricia Haman
Office of Congressional and Intergovernmental
Relations
202-564-2806

From: "Henry Cowles, Lauren (Pryor)"
<Lauren_Cowles@pryor.senate.gov>
To: Patricia Haman/DC/USEPA/US@EPA
Cc: "'Stewart, Lee'"
<Lee.Stewart@mail.house.gov>



{In Archive} Proposed revisions to the cross-state air pollution rule

Patricia Haman to:

10/06/2011 01:00 PM

Cc: Laura Vaught, Josh Lewis, frantz.diann

troy_lyons, Philip_Moore, stephen_lehrman, Alice_Yates,

Bcc: Matt_VanKuiken, Theresa_Lavery, Keith_Franks,

Sara_Gonzalez-Rothi, Sally_Canfield, todd_johnston, Dan_Barron,

Archive:

This message is being viewed in an archive.

Good Afternoon: Today EPA is announcing proposed revisions to the cross-state air pollution rule. The proposed changes primarily are technical adjustments based on new information brought to us by stakeholders after the final rule was promulgated in July. There also are some adjustments to some of the state budgets.

There will be a 30 day comment period.

We are not releasing a press release this afternoon but we wanted to give you this heads-up that we are posting the proposal and fact sheet on our web site which should go live soon:

www.epa.gov/crossstaterule

Please call Josh Lewis (202-564-2095) or me with any questions. Pat

Patricia Haman
Office of Congressional and Intergovernmental Relations
202-564-2806



{In Archive} EPA and NHTSA issue a Supplemental Notice of Intent for Light Duty Vehicles

Patricia Haman to:

07/29/2011 11:46 AM

cc: Josh Lewis, frantz.diann, Cheryl Mackay, Arvin Ganesan, Laura Vaught
adrian_deveny, Andrew_Wallace, ben_dunham, Ben_Rosenbaum,
Bcc: Bettina_Poirier, Brian_clifford, Bryan_Zumwalt, curtis_swager,
Chris_Miller, Conrad_Schatte, darren_springer, Dan_Barron,

Archive: This message is being viewed in an archive.

Good Morning: Today President Obama announced that EPA and NHTSA jointly will issue a supplemental notice of intent which outlines the key elements of a proposal for greenhouse gas emissions and fuel economy (CAFE) standards for model years 2017 - 2025 light duty vehicles. The two agencies still plan to issue the actual proposal in September 2011.

Attached is a link to our web page which has the supplemental notice and a fact sheet:

<http://www.epa.gov/otaq/climate/regulations.htm>

Additionally there will be a briefing in the Senate at 3:30 in room 253 Russell sponsored by both the EPW and Commerce Committees.

Please call if you have any questions. Pat

Patricia Haman
Office of Congressional and Intergovernmental Relations
202-564-2806



{In Archive} Supplemental Notice of Intent regarding the development of new standards for light duty vehicles for model years 2017-2025

Patricia Haman to

12/01/2010 10:37 AM

Cc: David McIntosh, Arvin Ganesan, Josh Lewis
"Bartel, Cynthia (Johnson)", "Berick, Dave (Wyden)", "Billingsley,
Bcc: Tara (Energy)", "Dukes, Corey (McCaskill)", "Friedel, Laura
(Shelby)", "Hamilton, Jonna (Dorgan)", "Konschnik, Kate
This message is being viewed in an archive.

Archive:

Good Morning: On September 30, 2010, EPA and NHTSA (DOT) issued a Notice of Intent (NOI) to begin developing new standards for greenhouse gases and fuel economy for light-duty vehicles for the 2017-2025 model years. At that time the two agencies also indicated that they would issue a supplemental NOI on November 30, 2010. We had hoped to get that supplemental NOI to you yesterday as promised but because our discussions with OMB ran later than anticipated, the NOI was not cleared and signed until last night.

The supplemental NOI describes the technical analyses the agencies plan to conduct and highlights comments from more than 30 organizations and 100,000 individuals that EPA received in response to the September NOI and the accompanying joint interim technical assessment report prepared by the two agencies and the California Air Resources Board.

EPA and NHTSA still plan to issue proposed standards on September 30, 2011 and final standards on July 31, 2012.

Here are links to the materials on our website:
<http://www.epa.gov/otaq/climate/regulations.htm>

fact sheet -- <http://www.epa.gov/otaq/climate/regulations/420f10059.pdf>

notice -- <http://www.epa.gov/otaq/climate/regulations/ld-ghg-cafe-2017-snoi.pdf>

Please call if you have any questions.

Pat

Patricia Haman
Office of Congressional and Intergovernmental Relations
202-564-2806



{In Archive} 2011 Fuel Economy Guide

Patricia Haman to:

11/03/2010 12:51 PM

Cc: Josh Lewis

Adam_Tarr, Andrew_Wallace, ben_dunham, Ben_Rosenbaum,
Bcc: Bettina_Poirier, Brad_Crowell, Brian_clifford, Bryan_Zumwalt,
catharine_ransom, curtis_swager, Chris_Miller, Conrad_Schatte,

From: Patricia Haman/DC/USEPA/US

To:

Cc: Josh Lewis/DC/USEPA/US

Bcc: Adam_Tarr@specter.senate.gov, Andrew_Wallace@tomudall.senate.gov,
ben_dunham@lautenberg.senate.gov, Ben_Rosenbaum@gillibrand.senate.gov,
Bettina_Poirier@epw.senate.gov, Brad_Crowell@Whitehouse.senate.gov,

Archive: This message is being viewed in an archive.

Good Afternoon: Attached is our press release regarding the new EPA/DOE fuel economy guide for 2011 vehicles, fyi. At the bottom of the release is a link to the Fuel Economy website. All the way over to the right on the website is the new 2011 data. Pat

EPA CONTACT:

Cathy Milbourn (News Media Only)
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202-564-7849
202-564-4355

DOE CONTACT:

202-586-4940

FOR IMMEDIATE RELEASE

November 3, 2010

DOE and EPA Release 2011 Annual Fuel Economy Guide

WASHINGTON – The U.S. Environmental Protection Agency (EPA) and the Department of Energy (DOE) released the 2011 Fuel Economy Guide, providing consumers with information about estimated mileage and fuel costs for model year 2011 vehicles. Choosing a more fuel efficient vehicle in a class will save consumers money and reduce carbon pollution.

"Increasing fuel efficiency is important for our environment, our economy and our health - and it helps families save money at the pump," EPA Administrator Lisa P. Jackson said. "This guide will help consumers make the right choice for the environment and for their wallets when buying a car."

"This year's Fuel Economy Guide will allow consumers to choose fuel efficient vehicles that will save them money at the pump, while helping to reduce our dependence on foreign oil and limiting carbon pollution," said Energy Secretary Steven Chu. "Fuel efficient vehicles help reduce driving costs for American families while continuing to deliver the highest standards of vehicle performance."

Fuel efficient models come in all types, classes, and sizes. The 2011 Fuel Economy Guide can help

consumers easily identify the most fuel efficient vehicles that meet their needs. Overall, the best fuel economy performers are hybrids, but the 2011 fuel economy leaders also include fuel efficient clean diesels as well as gasoline models.

Each vehicle listing in the guide provides an estimated annual fuel cost. The estimate is calculated based on the vehicle's miles per gallon (mpg) rating and national estimates for annual mileage and fuel prices. The online version of the guide allows consumers to input their local gasoline prices and typical driving habits to receive a personalized fuel cost estimate.

For the first time, the guide includes medium-duty passenger vehicles, which are generally large sport utility vehicles (SUVs) and passenger vans. These vehicles were not previously subject to fuel economy measurement and labeling requirements.

EPA and DOE will provide additional fuel economy information online as more 2011 vehicles, including electric and plug-in hybrid cars, become available.

In addition to being available on the EPA/DOE website and in automobile dealer showrooms, the Fuel Economy Guide is also readily accessible from many mobile devices (fuelconomy.gov/m).

More information, including a complete version of the guide: <http://www.fueleconomy.gov>

View the 2011 fuel economy leaders within each class and the lowest fuel economy models:
<http://www.epa.gov/fueleconomy/basicinformation.htm>

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{In Archive} Embargoed: Medium and Heavy Duty Trucks Proposal

Patricia Haman to:

10/25/2010 12:39 PM

Cc: David McIntosh, Arvin Ganesan, Josh Lewis, Cheryl Mackay

Adam_Tarr, Andrew_Wallace, ben_dunham, Ben_Rosenbaum,

Bcc: Bettina_Poirier, Brad_Crowell, Brian_clifford, Bryan_Zumwalt,

catharine_ransom, curtis_swager, Chris_Miller, darren_springer,

Archive

This message is being viewed in an archive.

Good Afternoon: At approximately 1:30 pm today Administrator Jackson and Secretary LaHood will issue proposed greenhouse gas emissions and CAFE standards for medium duty and heavy duty trucks for model years 2014-2018. There will be a 60 day comment period.

Below is EPA's embargoed (until 1:00) press release and a link to our web site which will go live after the announcement.

<http://www.epa.gov/otaq/climate/regulations.htm> and <http://www.nhtsa.gov/fuel-economy> .

There will be a briefing sponsored by the EPW and Commerce Committees for Senate staff at 3 pm today in 406 Dirksen. Hope to see you there.

Please call with any questions.

Pat

DOT, EPA Propose the Nation's First Greenhouse Gas and Fuel Efficiency Standards for Trucks and Buses

A win for the environment, economy and energy efficiency

WASHINGTON – The U.S. Environmental Protection Agency (EPA) and the U.S. Department of Transportation today announced the first national standards to reduce greenhouse gas (GHG) emissions and improve fuel efficiency of heavy-duty trucks and buses. This comprehensive national program is projected to reduce GHG emissions by nearly 250 million metric tons and save 500 million barrels of oil over the lives of the vehicles produced within the program's first five years.

"These new standards are another step in our work to develop a new generation of clean, fuel-efficient American vehicles that will improve our environment and strengthen our economy," EPA Administrator Lisa P. Jackson said. "In addition to cutting greenhouse gas pollution, greater fuel economy will shrink fuel costs for small businesses that depend on pick ups and heavy duty vehicles, shipping companies and cities and towns with fleets of these vehicles. Those savings can be invested in new jobs at home, rather than heading overseas and increasing our dependence on foreign oil."

"Through new fuel-efficiency standards for trucks and buses, we will not only reduce transportation's environmental impact, we'll reduce the cost of transporting freight," said U.S. Transportation Secretary Ray LaHood. "This is a win-win-win for the environment, businesses and the American consumer."

EPA and NHTSA are proposing new standards for three categories of heavy trucks: combination tractors, heavy-duty pickups and vans, and vocational vehicles. The categories were established to address specific challenges for manufacturers in each area. For combination tractors, the agencies are proposing

engine and vehicle standards that begin in the 2014 model year and achieve up to a 20 percent reduction in CO2 emissions and fuel consumption by 2018 model year. For heavy-duty pickup trucks and vans, the agencies are proposing separate gasoline and diesel truck standards which phase in starting in the 2014 model year and achieve up to a 10 percent reduction for gasoline vehicles and 15 percent reduction for diesel vehicles by 2018 model year (12 and 17 percent respectively if accounting for air conditioning leakage). Lastly, for vocational vehicles, the agencies are proposing engine and vehicle standards starting in the 2014 model year which would achieve up to a 10 percent reduction in fuel consumption and CO2 emissions by 2018 model year.

Overall, NHTSA and EPA estimate that the heavy-duty national program would provide \$41 billion in net benefits over the lifetime of model year 2014 to 2018 vehicles. With the potential for significant fuel efficiency gains, ranging from seven to 20 percent, drivers and operators could expect to net significant savings over the long-term. For example, it is estimated an operator of a semi truck could pay for the technology upgrades in under a year, and save as much as \$74,000 over the truck's useful life. Vehicles with lower annual miles would typically experience longer payback periods, up to four or five years, but would still reap cost-savings.

The innovative technologies fostered by this program would also yield economic benefits, enhance energy security, and improve air quality. New technologies include widespread use of aerodynamic improvements and tire rolling resistance, as well as engine and transmission upgrades.

EPA and NHTSA are providing a 60-day comment period that begins when the proposal is published in the Federal Register. The proposal and information about how to submit comments is at: <http://www.epa.gov/otaq/climate/regulations.htm> and <http://www.nhtsa.gov/fuel-economy>.

As part of the process of developing this proposed rulemaking, NHTSA has prepared a Draft Environmental Impact Statement (EIS) for its proposed fuel efficiency standards. The Draft EIS compares the environmental impacts of the agency's proposal with those of a number of regulatory alternatives. Comments may be submitted on the Draft EIS through January 3, 2011, and information on the submission of comments for this document may be found at the NHTSA Web address listed above.

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